

CASE CO/2-21884/A/PCT

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Dolores DeCarmin
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Dolores DeCarmin
Signature

6/19/03
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Group Art Unit: 1621

DAVID GEORGE LEPPARD ET AL

Examiner:

APPLICATION NO: 09/856,769

FILED: MAY 24, 2001

FOR: PROCESS FOR THE PREPARATION OF
ACYLPHOSPHINES, ACYL OXIDES AND
ACYL SULFIDES

Attention: PCT Branch

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

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LETTER

Sir:

Applicants have now received the filing receipt in the above-identified application. However, in viewing the paper, Applicants noted that the **Foreign Applications** information was omitted. A copy of the first and second pages of the Declaration and the title page of the International Publication No. WO 00/32612 are enclosed herewith to show that there are two foreign applications of which priority is claimed in the instant application. Please issue a corrected filing receipt having the area read:

-- **Foreign Applications** SWITZERLAND 2376/98 11/30/1998
SWITZERLAND 2434/98 12/8/1998 --.

Respectfully submitted,



Tyler A. Stevenson
Agent for Applicants
Reg. No. 46,388

Ciba Specialty Chemicals Corporation
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Encl.: copy of filing receipt

Date: **JUN 18 2003**



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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/856,769	01/14/2002	1621	1264	A- 21884/A/PCT		28	1

CONFIRMATION NO. 2266

000324

CIBA SPECIALTY CHEMICALS CORPORATION
 PATENT DEPARTMENT
 540 WHITE PLAINS RD
 P O BOX 2005
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FILING RECEIPT



OC000000010182696

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JUN 10 2003

ANDREA DECECCHIS
 DOCKET COORDINATOR
 PATENT DEPARTMENT

Date Mailed: 06/05/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

David George Leppard, Marly, SWITZERLAND;
 Eugen Eichenberger, Basel, SWITZERLAND;
 Rene Kaeser, Rechthalten, SWITZERLAND;
 Gebhard Hug, Rheinfelden, SWITZERLAND;
 Urs Schwendimann, Baleares Mallorca, SPAIN;

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP99/08968 11/20/1999

Foreign Applications

Omitted foreign priority documents

Projected Publication Date: None, application is not eligible for pre-grant publication

Non-Publication Request: No

Early Publication Request: No

Title

Co/2-21884/A/PCT

Process for the preparation of acylphosphines, acyl oxides and acyl sulfides

Preliminary Class

568

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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DECLARATION AND POWER OF ATTORNEY FOR U.S. PATENT APPLICATIONS

☐ Original ☐ Supplemental ☐ Substitute ☒ PCT

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if more than one name is listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

Process for preparing acylphosphines and derivatives

which is described and claimed in:

- ☐ the attached specification.
- ☐ the specification in U.S. Application No. _____, and as amended on _____ (if applicable).
(day/month/year) (day/month/year)
- ☒ the specification in International Application No. **PCT/EP99/08968**
filed **20/11/99**
(day/month/year)
- assigned U.S. Application No. _____ (if applicable); and as amended
- ☐ under PCT Article 19 on _____ (if applicable)
(day/month/year)
- ☒ under PCT Article 34 on **06.03.01** (if applicable)
(day/month/year)
- ☐ and further amended on _____ (if applicable)
(day/month/year)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information which is known by me to be material to the patentability of this application as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119 (a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America relating to this subject matter having a filing date before that of the application on which priority is claimed:

COUNTRY/REGION (OR PCT)	APPLICATION No.	FILING DATE (day/month/year)	PRIORITY CLAIMED	
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Switzerland	2376/98	30/11/98	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
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Switzerland	2434/98	08/12/98	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
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Switzerland	1767/97	18/07/98	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
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The latter application was withdrawn on September 18, 1998 without having been laid open to public inspection and without leaving any rights outstanding.

☐ Yes ☐ No

☐ Yes ☐ No

I hereby claim the benefit under 35 U.S.C. § 119 (e) of any United States provisional application(s) listed below:

APPLICATION NO.

FILING DATE
(day/month/year)

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) or PCT international application(s) designating the United States listed below and, insofar as the application discloses and claims subject matter in addition to that disclosed in the prior copending application, I acknowledge the duty to disclose all information known by me to be material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

U.S. APPLICATION
No.

FILING DATE
(day/month/year)

STATUS

<input type="checkbox"/> Patented	<input type="checkbox"/> Pending	<input type="checkbox"/> Abandoned
<input type="checkbox"/> Patented	<input type="checkbox"/> Pending	<input type="checkbox"/> Abandoned
<input type="checkbox"/> Patented	<input type="checkbox"/> Pending	<input type="checkbox"/> Abandoned
<input type="checkbox"/> Patented	<input type="checkbox"/> Pending	<input type="checkbox"/> Abandoned
<input type="checkbox"/> Patented	<input type="checkbox"/> Pending	<input type="checkbox"/> Abandoned

PCT APPLICATION
No.
(designating the U.S.)

INTERNATIONAL
FILING DATE
(day/month/year)

U.S. APPLICATION
No.
(if any)

STATUS

☐ Patented
☐ Pending
☐ Abandoned



INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(51) International Patent Classification: C07F 9/50, 9/53	A1	(11) International Publication Number: WO 00/32612 (43) International Publication Date: 8 June 2000 (08.06.00)
(21) International Application Number: ✓ PCT/EP99/08968 (22) International Filing Date: ✓ 20 November 1999 (20.11.99) (30) Priority Data: 2376/98 30 November 1998 (30.11.98) CH 2434/98 8 December 1998 (08.12.98) CH (71) Applicant (for all designated States except US): CIBA SPECIALTY CHEMICALS HOLDING INC. [CH/CH]; Klybeckstrasse 141, CH-4057 Basel (CH). (72) Inventors; and (75) Inventors/Applicants (for US only): LEPPARD, David, George [CH/CH]; Route de Bourguillon 6, CH-1723 Marly (CH). EICHENBERGER, Eugen [CH/CH]; Schützenmattstrasse 5, CH-4051 Basel (CH). KAESER, René [CH/CH]; Stadtgasse 2, CH-1718 Rechthalten (CH). HUG, Gebhard [CH/CH]; Buchenweg 30, CH-4310 Rheinfelden (CH). SCHWENDIMANN, Urs [CH/ES]; Carreres Putxet 3, Vivienda 2, E-07590 Cala Ratjada, Balears Mallorca (ES). (74) Common Representative: CIBA SPECIALTY CHEMICALS HOLDING INC.; Patentabteilung, Klybeckstrasse 141, CH-4057 Basel (CH).		(81) Designated States: AE, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, CA, CH, CN, CR, CU, CZ, DE, DK, DM, EE, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, NO, NZ, PL, PT, RO, RU, SD, SE, SG, SI, SK, SL, TJ, TM, TR, TT, TZ, UA, UG, US, UZ, VN, YU, ZA, ZW, ARIPO patent (GH, GM, KE, LS, MW, SD, SL, SZ, TZ, UG, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GW, ML, MR, NE, SN, TD, TG). Published <i>With international search report.</i>
(54) Title: PROCESS FOR PREPARING ACYLPHOSPHINES AND DERIVATIVES (57) Abstract <p>A description is given of processes for the preparation of mono- and bisacylphosphines and of mono- and bisacylphosphine oxides and mono- and bisacylphosphine sulfides, which comprises first reacting organic P-monohalogenophosphines or P,P-dihalogenophosphines, or mixtures thereof, with an alkali metal or magnesium in combination with lithium, where appropriate in the presence of a catalyst, and then carrying out the reaction with acid halides and, in the case of the process for the preparation of oxides, carrying out an oxidation step and, in the case of the preparation of sulfides, reacting the phosphines so obtained with sulfur. It is characteristic, inter alia, that the processes are carried out without isolation of the intermediates.</p>		